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 CITY AND COUNTY OF SAN FRANCISCO
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20 **UNITED STATES DISTRICT COURT**

21 **NORTHERN DISTRICT OF CALIFORNIA**

22 CALIFORNIA RESTAURANT)
 23 ASSOCIATION,)
)
 24 Plaintiff,)
)
 25 v.)
)
 26 THE CITY AND COUNTY OF SAN)
 FRANCISCO and THE SAN FRANCISCO)
 27 DEPARTMENT OF PUBLIC HEALTH,)
)
 28 Defendants.)

Case No. CV-08-3247 (CW) and
 Case No. CV-08-03685 (CW)

**STIPULATION AND ORDER STAYING
 ADR DEADLINES UNDER CIVIL
 LOCAL RULE 16-8 AND ADR LOCAL
 RULE 3-5**

Honorable Claudia Wilken

1 CALIFORNIA RESTAURANT)
ASSOCIATION,)
2)
Plaintiff,)
3)
THE COUNTY OF SANTA CLARA AND)
THE SANTA CLARA COUNTY PUBLIC)
4 HEALTH DEPARTMENT,)
5)
Defendants.)

6 **STIPULATION**

7
8 WHEREAS, on October 23, 2008, pursuant to the parties’ Stipulation, the Court issued an
9 Order Vacating Hearing on Plaintiff’s Motions for Declaratory Relief and Preliminary Injunction
10 and Scheduling Case Management Conference (“Order”). The Order reset the initial Case
11 Management Conference for the above-captioned cases to take place on January 20, 2009 and,
12 among other things, stayed the parties’ obligations under Rule 26 of the Federal Rules of Civil
13 Procedure pending further order;

14 WHEREAS, the parties inadvertently failed to request in the Stipulation that the Court also
15 stay the parties’ obligation to submit, pursuant to Local Civil Rule 16 and ADR Local Rule 3-5,
16 (1) an ADR Certification and (2) either a Stipulation to ADR Process or a Notice of Need for ADR
17 Phone Conference; and

18 WHEREAS, the parties believe it is appropriate, subject to Court approval, to stay these
19 ADR deadlines for the same reasons recited in the Order;

20 IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff and Defendants,
21 subject to approval of the Court, that the parties’ obligations under Local Civil Rule 16 and ADR
22 Local Rule 3-5 are stayed pending further order.

23 **IT IS SO STIPULATED.**

24 Dated: November __, 2008

ARNOLD & PORTER LLP

25 By: _____

26 Sarah Esmaili
Attorneys for Plaintiff
27 CALIFORNIA RESTAURANT ASSOCIATION

1 Dated: November __, 2008

DENNIS J. HERRERA
City Attorney
TARA M. STEELEY
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4 By: _____
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CITY AND COUNTY OF SAN FRANCISCO
AND SAN FRANCISCO DEPARTMENT OF
PUBLIC HEALTH

8 Dated: November __, 2008

ANN MILLER RAVEL
County Counsel
TAMARA LANGE
MIGUEL MARQUEZ

11 By: _____
Tamara Lange
Attorneys for Defendants
THE COUNTY OF SANTA CLARA AND THE
SANTA CLARA COUNTY PUBLIC HEALTH
DEPARTMENT

15 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED:**

16 11/17/08
17 Dated: _____



20 _____
HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT COURT JUDGE